

“(B) NO PRECLUSION OF OTHER PROVISIONS.—Nothing in this paragraph precludes the implementation of the agreements and recommendations stemming from the Grand Canyon Visibility Transport Commission Report dated June 1996, including the submission of State implementation plan revisions by the States of Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, or Wyoming by December 31, 2003, for implementation of regional haze requirements applicable to those States.”.

(b) RELATIONSHIP TO TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY.—Except as provided in paragraphs (6) and (7) of section 107(d) of the Clean Air Act (as added by subsection (a)), section 6101, subsections (a) and (b) of section 6102, and section 6103 of the Transportation Equity Act for the 21st Century (42 U.S.C. 7407 note; 112 Stat. 463), as in effect on the day before the date of enactment of this Act, shall remain in effect.

SA 2190. Mr. GRAHAM of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 116. PROVISION OF OUT-PATIENT MEDICATION BENEFIT FOR MEDICARE-ELIGIBLE VETERANS.—Section 1712 of title 38, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e)(1) The Secretary shall furnish to any medicare-eligible veteran on an out-patient basis such drugs and medicines as may be ordered on prescription of a duly licensed physician as specific therapy in the treatment of any illness or injury suffered by such veteran.

“(2) In this subsection, the term ‘medicare-eligible veteran’ means any veteran who—

“(A) is entitled to or enrolled in hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

“(B) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.).

“(3) The furnishing of drugs and medicines under this subsection shall be subject to the provisions of section 1722A(b) of this title.”.

(b) COPAYMENT REQUIREMENTS.—

(1) IN GENERAL.—Section 1722A of such title is amended—

(A) in subsection (a)(1), by inserting “(other than a veteran covered by subsection (b))” after “require a veteran”;

(B) by redesignating subsections (b), (c), and (d), as subsections (c), (d), and (e), respectively;

(C) by inserting after subsection (a) the following new subsection (b):

“(b)(1) In the case of a veteran who is furnished medications on an out-patient basis under section 1712(e) of this title, the Secretary shall require the veteran to pay, at the election of the Secretary, one or more of the following:

“(A) An annual enrollment fee in an amount determined appropriate by the Secretary.

“(B) A copayment for each 30-day supply of such medications in an amount determined appropriate by the Secretary.

“(C) An amount equal to the cost to the Secretary of such medications, as determined by the Secretary.

“(2)(A) In determining the amounts to be paid by a veteran under paragraph (1), and the basis of payment under one or more subparagraphs of that paragraph, the Secretary shall ensure that the total amount paid by veterans for medications under that paragraph in a year is not less than the costs of the Department in furnishing medications to veterans under section 1712(e) of this title during that year, including the cost of purchasing and furnishing medications, and other costs of administering that section.

“(B) The Secretary shall take appropriate actions to ensure, to the maximum extent practicable, that amounts paid by veterans under paragraph (1) in a year are equal to the costs of the Department referred to in subparagraph (A) in that year.

“(3) In determining amounts under paragraph (1), the Secretary may take into account the following:

“(A) Whether or not the medications furnished are generic medications or brand name medications.

“(B) Whether or not the medications are furnished by mail.

“(C) Whether or not the medications furnished are listed on the National Prescription Drug Formulary of the Department.

“(D) Any other matters the Secretary considers appropriate.

“(4) The Secretary may from time to time adjust any amount determined by the Secretary under paragraph (1), as previously adjusted under this paragraph, in order to meet the purpose specified in paragraph (2).”; and

(D) in subsection (d), as so redesignated—
(i) by striking “subsection (a)” and inserting “subsections (a) and (b)”; and
(ii) by striking “subsection (b)” and inserting “subsection (c)”.

(2) DEPOSIT OF COLLECTIONS IN MEDICAL CARE COLLECTIONS FUND.—Paragraph (4) of section 1729A(b) of such title is amended to read as follows:

“(4) Subsection (a) or (b) of section 1722A of this title.”.

(c) CLERICAL AMENDMENTS.—(1) The heading for section 1712 of such title is amended by striking “for certain disabled veterans”.

(2) The table of sections at the beginning of chapter 17 of such title is amended in the item relating to section 1712 by striking “for certain disabled veterans”.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I announce for the information of the Senate and the public that the hearing to conduct oversight of the implementation of the Energy Employees Occupational Illness Compensation Program previously scheduled before the Committee on Energy and Natural Resources on Friday, November 14 at 10 a.m. has been cancelled and will be rescheduled as soon as practicable.

For further information regarding this hearing, please contact Pete Lyons of the Committee staff at 202-224-5861.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I announce for the information of the Senate and the public that the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources will add two bills to the agenda of the hearing scheduled for

November 18, 2003 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The bills being added are S. 1167, which would resolve boundary conflicts in Barry and Stone Counties in the State of Missouri, and S. 1848, which would amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administrative Site in the State of Oregon.

The other bills that will be considered at the hearing are S. 1467, a bill to establish the Rio Grande Outstanding Natural Area in the State of Colorado, and for other purposes, S. 1209, a bill to provide for the acquisition of property in Washington County, UT, for implementation of a desert tortoise habitat conservation plan, and H.R. 708, a bill to require the conveyance of certain National Forest System lands in Mendocino National Forest, CA, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, DC 20510-6150 prior to the hearing date.

For further information, please contact Dick Bouts or Meghan Beal (202-224-7556).

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Friday, November 21, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to conduct oversight of the implementation of the Energy Employees Occupational Illness Compensation Program.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, November 12, 2003, at 4 p.m., in closed session to receive a classified operations/intelligence briefing regarding ongoing military operations and areas of key concern around the world.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, November 12, 2003, at 9:30 a.m., on "Tobacco: State Use of Settlement Funds."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, November 12, at 9:15 a.m., to conduct a business meeting to consider S. 1072, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, and the nomination of Rixio E. Medina to be a member of the U.S. Chemical Safety and Hazard Investigation Board.

The hearing will take place in SD-406 (Hearing Room).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, November 12, 2003, immediately following a 2 p.m., nomination hearing, for a hearing titled "S. 1358, the Federal Employee Protection of Disclosures Act: Amendments to the Whistleblower Protection Act."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, November 12, 2003, at 2 p.m., for hearing to consider the nomination of Scott J. Bloch to be Special Counsel, Office of Special Counsel.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, November 12, 2003, at 10 a.m., on "Judicial Nominations," in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: Senators.

Panel II: Judith C. Herrera to be United States District Judge for the District of New Mexico; F. Dennis Saylor to be United States District Judge for the District of Massachusetts; and Sandra L. Townes to be United States District Judge for the Eastern District of New York.

Panel III: Domingo S. Herraiz to be Director of the Bureau of Justice Assistance United States Department of Justice.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES AND
INVESTMENT

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Securities and Investment of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 12, 2003, at 2 p.m., to conduct a hearing on "The Financial Accounting Standards Board and Small Business Growth."

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Friday, November 14, 2003, after the last cloture vote in Dirksen Room 226. Note: This markup was rescheduled from Thursday, November 13, 2003.

Agenda

I. Nominations: Henry W. Saad to be U.S. Circuit Judge for the Sixth Circuit; James B. Comey to be Deputy Attorney General; Michael J. Garcia to be Assistant Secretary of U.S. Immigration and Customs Enforcement; Claude A. Allen to be U.S. Circuit Judge for the Fourth Circuit; and Federico L. Rocha to be U.S. Marshal for the Northern District of California.

II. Bills: H.R. 1437, To improve the United States Code [Sensenbrenner,

Conyers] and S. Res. 253, To recognize the evolution and importance of motorsports [Campbell, Kyl].

PRIVILEGES OF THE FLOOR

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that privilege of the floor be granted to Craig Harper, a fellow in my office, during consideration of the VA-HUD legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Jason Eaton and Melissa Hall of my staff be granted floor privileges for the duration of the week.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I ask unanimous consent that Bridget Lipscomb of my staff be permitted the privilege of the floor during the time I am on the floor until 9 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Sharmila Matugama, from the Judiciary staff, be granted the privilege of the floor during consideration of the judicial nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I ask unanimous consent that privilege of the floor be granted to Lisa McGrath, a law fellow who is on my staff, during consideration of this judicial nomination debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that Joe Laird from my staff be allowed on the floor for the duration of this hour of debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that privilege of the floor be granted to Ursula Williams, an intern with Senator SANTORUM's office, during consideration of this debate on judicial nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committee of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Thad Cochran: Mexico	Dollar		2,178.00						2,178.00
Senator Mike Crapo: Mexico	Dollar		2,178.00						2,178.00